

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 6, 2011**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 6, 2011 in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Joyce A. Hahn, PhD, APRN, NEA-BC; Chairperson
Louise D. Hartz, Citizen Member

STAFF PRESENT: Jane Elliott, RN, PhD; Discipline Staff

OTHERS PRESENT: James Rutkowski, Adjudication Specialist

CONFERENCES
SCHEDULED: **Diane Blackburn, RN Applicant**
Ms. Blackburn appeared, accompanied by her mother, Ms. K. Blackburn; and attorney, Ms. C. Carpenter.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:25 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Blackburn. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:30 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to close the case in the matter of Diane Blackburn and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations
The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED: **Dante Jenkins, CNA Applicant**
Mr. Jenkins did not appear.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of*

Virginia at 9:40 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Jenkins. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:45 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to recommend the Board issue an order to deny Dante Jenkins' application to take the NNAAP examination for certification as nurse aide in Virginia.

The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Jenkins unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Jenkins within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED: **Rosemary Hill, CNA 1401-030030**

Ms. Hill did not appear.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:35 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hill. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:45 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to close the case in the matter of Rosemary Hill and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED: **Bernice Smith, CNA 1401-034236**
Ms. Smith did not appear.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:00 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Smith. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 11:05 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to issue an order of reprimand to Bernice Smith with a finding of abuse. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Smith unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Smith within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED: **Michele Chontos, CNA Applicant**
Ms. Chontos appeared.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:05 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Chontos. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 11:10 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION:

Ms. Hartz moved to recommend the Board issue an order to approve Michele Chontos' application to take the NNAAP examination for certification as nurse aide in Virginia contingent upon Ms. Chontos remaining in compliance with the terms of the monitoring contract with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Chontos unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Chontos within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Jamie Waugh, CNA 1401-106389

Mr. Waugh did not appear.

CLOSED MEETING:

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:10 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Waugh. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:20 A.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hartz moved to refer the case of Jamie Waugh to the Board of Nursing or a panel thereof for a formal hearing.

The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED:

Jacqueline Wafula, CNA 1401-085675

Ms. Wafula appeared.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:45 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Wafula. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 1:55 P.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to issue an order of reprimand to Jacqueline Wafula and to place Ms. Wafula on probation for one year of employment as a certified nurse aide. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Wafula unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Wafula within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Sharon Scott, CNA 1401-133541

Ms. Scott appeared, accompanied by attorney, Brad Goodwin.

CLOSED MEETING: Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Scott. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 3:00 P.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Hartz moved to close the case in the matter of Sharon Scott and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Devona Spencer, CNA 1401-050824

Ms. Spencer appeared, accompanied by her daughter, Ms. Lawson.

CLOSED MEETING:

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Spencer. Additionally, Ms. Hartz moved that Dr. Elliott and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:30 P.M.

Ms. Hartz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hartz moved to issue an order of reprimand to Devona Spencer and impose a monetary penalty of \$50. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Spencer unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Spencer within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The Board adjourned at 3:35 P.M.

Jane Elliott, RN, PhD
Discipline Staff

